

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO**

UNITED STATES OF AMERICA,)	CASE NO. 4:10cr00153-001
)	
Plaintiff,)	JUDGE: JAMES S. GWIN
)	
vs.)	ORDER
)	
DONALD J. SIMS,)	
)	
Defendant.)	

This matter was heard on April 23, 2014, upon the request of the United States Pretrial and Probation Office for a finding that defendant violated the conditions of supervised release. The defendant was present and represented by Attorney Timothy Ivey.

The original violation report was referred to Magistrate Judge George J. Limbert who issued a Report and Recommendation on April 1, 2014 [Doc. 33]. No objections were filed by either plaintiff or defendant. The Court adopted the Report and Recommendation and found that the following terms of supervision had been violated:

- 1) failing to report to probation office as directed;
- 2) new law violation.

The Court entertained statements from counsel for the parties and the defendant himself. The Court found the instant violations to be a Grade C, defendant's Criminal History Category to be IV and considered the 3553(a) factors prior to imposing sentence.

The Court committed defendant to the Bureau of Prisons for a term of 10 months with

credit for time served in federal custody on the instant violations.

The defendant is remanded to the custody of the U.S. Marshal, Cleveland, Ohio.

Dated: April 24, 2014

s/ James S. Gwin
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE